

DANIEL G. BOGDEN
United States Attorney
PHILLIP N. SMITH, JR.
Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-CR-00138-JAD-VCF
)	
)	
Plaintiff,)	
)	
v.)	
)	
CHARLES RAY BELL, JR.,)	
)	
Defendant.)	
)	

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Russell E. Marsh, Esq., Wright Stanish & Winckler, counsel for Defendant CHARLES RAY BELL, JR., that the date for the Government to file a response to the Defendant's "Motion for Production of Additional Police Reports" (Docket #35) be extended for three (3) weeks.

This stipulation is entered for the following reasons:

1. On December 1, 2014, the Defendant, through prior counsel, filed a "Motion for Production of Additional Police Reports." See Docket #35. PACER set the Government's response deadline for December 18, 2014. The Defendant then subsequently was appointed new counsel.

1 2. The Defendant's new counsel recently received discovery and needs additional
2 time to go through the discovery and discuss it with the Defendant. The parties are also still in
3 discussions into a possible plea negotiation which would obviate the need for the Court to
4 consider the Defendant's Motion. Alternatively, the parties may be able to resolve the discovery
5 matter that is the subject of Defendant's Motion.

6 3. The Defendant is incarcerated, but he does not object to the brief continuance of
7 the Government's response deadline.

8 4. The additional time requested herein is not sought for purposes of delay, but
9 merely to allow counsel for the Defendant adequate time to discuss this case with the Defendant,
10 along with possible defenses, as well as to potentially resolve the case with a plea agreement.

11 5. Additionally, denial of this request for continuance could result in a miscarriage
12 of justice.

13 6. This is the second stipulation filed herein to continue the Government's response
14 deadline.

15 DATED: January 22, 2015.

16
17 /s/
18 PHILLIP N. SMITH, JR.
19 Assistant United States Attorney
20 Counsel for the United States

 /s/
RUSSELL E. MARSH, ESQ.
Wright Stanish & Winckler
Counsel for Defendant CHARLES RAY BELL, JR.

UNITED STATES DISTRICT COURT
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* * *

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On December 1, 2014, the Defendant, through prior counsel, filed a “Motion for Production of Additional Police Reports.” See Docket #35. PACER set the Government’s response deadline for December 18, 2014. The Defendant then subsequently was appointed new counsel.

2. The Defendant’s new counsel recently received discovery and needs additional time to go through the discovery and discuss it with the Defendant. The parties are also still in discussions into a possible plea negotiation which would obviate the need for the Court to consider the Defendant’s Motion. Alternatively, the parties may be able to resolve the discovery matter that is the subject of Defendant’s Motion.

3. The Defendant is incarcerated, but he does not object to the brief continuance of the Government’s response deadline.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the Defendant adequate time to discuss this case with the Defendant, along with possible defenses, as well as to potentially resolve the case with a plea agreement. The failure to grant said continuance would likely result in a miscarriage of justice.

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's "Motion for Production of Additional Police Reports" (Docket #35) is extended until February 17, 2015. The Defendant's Reply, if any, is due within seven (7) days after the filing of the Government's Response.


UNITED STATES MAGISTRATE JUDGE